

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

Judy Jien, *et al.*,)
Plaintiffs,)
v.)
Perdue Farms, Inc., *et al.*,)
Defendants.)
)

**Civil Action No. 1:19-CV-2521
The Honorable Stephanie A. Gallagher**

**SANDERSON FARMS DEFENDANTS' INDIVIDUAL MOTION TO DISMISS
CONSOLIDATED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Sanderson Farms, Inc., Sanderson Farms, Inc. (Foods Division), and Sanderson Farms, Inc. (Processing Division) (together “Sanderson Farms”) hereby move to dismiss Plaintiffs’ Consolidated Complaint.

Sanderson Farms files this individual motion to dismiss pursuant to the Court’s November 19, 2019 Order, and in conjunction with the joint motion to dismiss filed by all Defendants.¹ In addition to the reasons set forth in that joint motion and its accompanying memoranda of law, Sanderson Farms is entitled to dismissal because Plaintiffs do not plead facts sufficient to “specify how [Sanderson Farms] [was] involved in the alleged conspiracy,” *SD3, LLC v. Black & Decker (U.S.) Inc.*, 801 F.3d 412, 422 (4th Cir. 2015), and do not show that conduct by Sanderson Farms created anticompetitive effects in any relevant market. Thus, as further set forth in Sanderson Farms’ Supplemental Memorandum in Support of Sanderson Farms Defendants’ Motion to Dismiss, which is filed contemporaneously with this Motion, Plaintiffs’ Complaint should be dismissed with prejudice as to Sanderson Farms.

¹ See Order on Agreed Stipulation on Page Limits for Motion to Dismiss Briefing, Dkt. No. 210.

Dated: November 22, 2019

Respectfully submitted,

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